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DEBRA P. HACKETT, CLK

U.S. DISTRICT COURT

MIDDLE DISTRICT ALA

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U.S. DISTRICT COURT

MIDDLE DISTRICT ALA

DAVID LUCAS,

vs

Case No.:

TERRY RAYBON,

Rule 27 Petition for Pre-Action Discovery

Comes Now David Lucas, petitioner in the Above styled Action, and files with this Court, pursuant to Rule 27, Fed. R. Civil P., A Petition for Pre-Action Discovery utilizing Rules 34 & 45, Fed. R. Civil P., and, states the following in support thereof:

1. The petitioner expects to be a party to several Actions in the U.S. District Court for the Southern District of Alabama, the Escambia County Circuit Court, and the Montgomery County Circuit Court in Civil and Criminal Actions Against one Terry Raybon and the State of Alabama for the illegal actions of Terry Raybon, a Warden in the State's Dept. of Corrections, for using the States database of inmate records to create false Facebook pages were he is impersonating the inmates attract unsuspecting women for nefarious purposes. (Identity Theft)

Electronic impersonation, and invasion of privacy.

The reason for using inmate's face and information were to attract women that his face could not attract. The petitioner is unable, at the present, to raise said claims due to the lack of key evidence held by Facebook Inc. (I.P. address of the Facebook page creation) that only Facebook can provide but only upon a Court Ordered Subpoena. see Steven and Courtney Allen v Todd Zonis.

2. The petitioner plans on prosecuting this action on several fronts:

- A. By filing a Criminal Complaint against Terry Raybon for identity Theft in the State and Federal Courts;
- B. By filing a Civil Action against Terry Raybon for identity Theft, electronic impersonation, invasion of privacy, and illegal use of ADOC's database of inmate files to create false Facebook pages of the inmate for nefarious intentions, and;
- C. By filing a Civil Action against the Alabama Department of Corrections (ADOC) under the "Special Relation Theory" and the "State-Created danger Theory" for hiring them and not monitoring its database and servers to catch this person in the act of creating false Facebook pages and impersonating the inmate.

The petitioner states that the discovery sought is the only evidence that can prove that Terry Raybon created the Facebook page on the State computer

Assigned to him in Atmore, Alabama along with the access code used every time he logged in on the Facebook page he created of the inmate.

The petitioner believes that the information held by Facebook will lead directly to Terry Raybon's assigned I.P. Address at Holman Prison and at the State provided home for said Terry Raybon. The petitioner believes that the I.P. Address used to create the false Facebook page was used every single time that Facebook page was log-in by Terry Raybon.

3. The petitioner expects the adverse parties to be the following:

- Terry Raybon, Warden II
Holman Prison
1240 Ross Road
Atmore, Alabama 36503

- Alabama Department of Corrections
301 S. Ripley Street
Montgomery, Alabama 36130-1501

4. The Name of the Agency(s) that the petitioner expects discovery to be acquired from are the following:

- Facebook Inc.

1 Hacker Way
Menlo Park, CA. 94025

- John Doe Tech, Inc.

The petitioner states that the Second Tech firms identity is not currently known, but will be revealed once Facebook provides the I.P. Address used to create the false Facebook page. With the I.P. Address the petitioner can subpoena the unnamed tech Co. and find out who was assigned the I.P. Address used in creating the false Facebook page.

The petitioner ask this Court to hold the 2nd Subpoena in Abeyance until Facebook provides the I.P. Address used to create the false Facebook page and the name of the company that assigned the I.P. Address. Only then should the second subpoena be served.

The petitioner expect the information from Facebook to show:

- The I.P. Address used to create the false Facebook page;
- The identity of the tech firm that assigned this I.P. Address;
- The names and address of the women who were friended by the impersonator;
- The I.P. Address used every single time the impersonator log-in on the false Facebook page created;

- The frequency of the impersonator logging in on the false Facebook page;
- The duration and time of every log-in and usage of the false Facebook page;
- Every e-mail sent and received from this false Facebook page;
- the date of creation of this false Facebook page and the date Facebook took down this false page; and
- All other false Facebook pages created from the I.P. Address used to create David Lucas's false Facebook page.

5. The petitioner ask this Court to issue a Court Ordered Subpoena directing Facebook to produce every single bit of information sent and received from the false Facebook page of David Lucas and all other information associated with the creation, use of the false David Lucas Facebook page. The Petitioner also ask that Facebook produce all Facebook pages created from the I.P. Address used in creating David Lucas's false Facebook page.

The petitioner ask that this Court hold in Abeyance the second Subpoena for the Tech firm that assigned the I.P. Address until Facebook provides the Petitioner with the I.P. Address and the Tech Name of the Tech company that assigned this I.P. Address to the impersonator in order to reveal the identity of the impersonator.

Dated: 8 Nov 2018

Signature: David Lucas
David LucasStatement of Verification

This is to verify that David Lucas has initiated A Rule 27 Pre-Action Discovery Petition to seek all the information on the creation and use of the false David Lucas Facebook page that was created in 2015 or earlier in Atmore, Alabama and used up til December 2016. The purpose of the Pre-Action discovery request is not intended to harass anyone, but designed to uncover the identity of the person who, using ADOC's database of inmates records to create false Facebook page of David Lucas and use said page to attract and friend women that would be attracted to David Lucas and the impersonate David Lucas with these unsuspecting women that he would or could every hope to attract with his own ugly face. As required by the Rules of Court, A Notice of Intent is also filed and will be served on the Respondent as the Rules of Court dictate.

Sworn on this the 8th day of November, 2018Signature: David Lucas

Dan R. [Signature]
My Commission Expires

11/8/18

1/3/21

1. Lucas
L. Davis D-46
2811 N. K. Davis Rd.
Harvest, Ala 35749



Debra P. Hackett
Office of the Clerk
U.S. District Court
Middle District of Alabama
One Church Street, B-110
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This Correspondence is forwarded from
an Alabama State Prison. The contents
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